



The Honorable Jeff Flake  
United States Senate  
B85 Russell Senate Office Building  
Washington, DC 20510  
Via email [Chuck\\_Podolak@flake.senate.gov](mailto:Chuck_Podolak@flake.senate.gov)

The Honorable John McCain  
United States Senate  
241 Russell Senate Office Building  
Washington, DC 20510  
Via email [nick\\_matiella@mccain.senate.gov](mailto:nick_matiella@mccain.senate.gov)

Re: Support for S. 1416 to amend the Antiquities Act to prohibit the president from unilaterally creating a federal reserved water right when designating a national monument.

September 19, 2016

Dear Senators Flake and McCain;

The Eastern Arizona Counties Organization (ECO) regroups by an Intergovernmental Agreement under A.R.S. 11-952 the six counties of Apache County, Cochise County, Gila County, Graham County, Greenlee County and Navajo County.

The mission of ECO is to develop, plan and implement specific programs impacting economic development in the Counties, and insuring that the Counties' safety, custom, culture and economic well-being concerns are integrated in land and natural resource management decisions made by the federal agencies.

ECO operates 10 programs including Forest Restoration; Endangered Species; Watershed Restoration; Infrastructures; Recreation; Energy; Water; Natural Resources Planning; Public Lands; and, Emerging Issues.

By changing the designation of federal land the president also adjusts the nature of the water rights associated with those parcels. The Supreme Court examined this particular issue in 1976 and held that the Park Service could enjoin private landowners from withdrawing groundwater on adjacent lands, because those withdrawals can be seen as interfering with the purpose of the national park or monument.

Recently, some members of the House requested the unilateral designation of a “watershed” national monument along the Colorado River. Such designation, if made without the timely enactment of S. 1416 could have significant consequences for the delicate balance of water rights in Northern Arizona.

The Eastern Arizona Counties Organization is therefore pleased to write in strong support of S. 1416 to amend the Antiquities Act to prohibit the president from unilaterally creating a federal reserved water right when designating a national monument, introduced by Senators Jeff Flake and John McCain, and wants to express its appreciation to the Senators for their continued involvement and leadership in addressing the issues of water and water rights in Arizona.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "P. Berlioux", with a long horizontal flourish extending to the right.

On behalf of the Board of Directors,

Pascal Berlioux, Ph.D. MBA  
Executive Director  
Eastern Arizona Counties Organization  
[pberlioux@easternarizonacounties.us](mailto:pberlioux@easternarizonacounties.us)